

ANTHONY G. BROWN
Attorney General



CANDACE McLAREN LANHAM
Chief of Staff

CAROLYN A. QUATTROCKI
Deputy Attorney General

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

FACSIMILE NO.
(410) 576-7036

WRITER'S DIRECT DIAL NO.
(410) 576-6584

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TO: The Honorable Luke Clippinger
Chair, Judiciary Committee

FROM: Hannibal G. Williams II Kemerer
Chief Counsel, Legislative Affairs, Office of the Attorney General

RE: HB 0221 – Public Safety – Law Enforcement – Quotas (Community-Oriented Policing Act) – **Support**

The Office of Attorney General urges this Committee to favorably report House Bill 221. This legislation, sponsored by Delegate Grammer, would alter the existing ban on establishing arrest or citation quotas, or using an officer's number of arrests or citations as the primary criterion for promotion or demotion in two ways. First, it would prohibit the number of arrests or citations from being any criterion for personnel action at all, rather than merely serving as the primary criterion. Second, it would prohibit a law enforcement agency from requesting enforcement actions or directing officers to act for the purpose of increasing arrest or citation numbers.

Tracking officer productivity through a quota system may incentivize officers to prioritize quick and easy enforcement activities, rather than devote time to investigating crimes that pose a more significant threat to public safety.¹ In more extreme cases, officers may resort to malfeasance or give way to racial biases in meeting their quotas.² For these reasons, quotas damage the public's trust in law enforcement, which is crucial to effective policing.³ Additionally, quotas remove officers' professional discretion to serve community needs, which is why many officers disfavor quota systems.⁴

¹ Jackie Fielding, *Outlawing Police Quotas*, BRENNAN CTR. FOR JUSTICE (July 13, 2022), <https://www.brennancenter.org/our-work/analysis-opinion/outlawing-police-quotas>.

² *Id.*

³ *Id.*

⁴ *Id.*

This bill letter is a statement of the Office of Attorney General's policy position on the referenced pending legislation. For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us

For the foregoing reasons, the Office of the Attorney General urges a favorable report of House Bill 221.

CC: Committee members